

No.: Y15-107

Title: PRIVACY ACT COMPLIANCE

Revision X

The Privacy Act of 1974 imposes restrictions on the collection, retention, access, and disclosure of personal information maintained on individuals by the government.

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**BWXT Y-12 LLC
PROCEDURE BLUE SHEET**

Effective Date: November 1, 2000
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This blue sheet applies to: ☐ Entire Manual or ☒ Procedures Specified Below

Manual Title 15 Series Management Systems		
Procedure No./Title IO-157/Privacy Act Compliance	Revision No. 0	Date 6/1/94
Procedure No./Title	Revision No.	Date
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Revision Type: <input checked="" type="checkbox"/> Minor <input type="checkbox"/> Cancel <input type="checkbox"/> Major Revision (if checked, specify projected completion date) Date:		
If complete revision required, identify need:		
Description of Change To address contract clause H.10, Privacy Act System of Records, an action plan to implement the 20 additional record systems has been developed with an estimated completion date of 12/31/01. The action plan, dated October 2000 and developed by B. K. Robinette, received concurrence from A. Rothrock, DOE ORO Privacy Act Officer. Procedure IO-157 will be revised prior to 12/31/01 to reflect the additional systems and any change in process. Note: Full analysis of impact of additional systems of records, especially cost, has not been completed per Y30-601, Contract Management Baseline Change Control Process. <u>General</u> Replace procedure number IO-157 with Y15-107 Replace Martin Marietta Energy Systems, Inc. with BWXT Y-12, L.L.C. Replace Energy Systems with BWXT Y-12, L.L.C. <u>Records</u> Replace IO-101, Records Management with Y15-101, Records Management		
This document has been reviewed and determined not to require an ADC or UCNI review in accordance with ES/PSO-1.		
SIGNATURE ON FILE Doris Heim		10/19/00 Date
Prepared By: SIGNATURE ON FILE Susan Reed		Date: 10/19/00
Verified By: SIGNATURE ON FILE A. S. Dowd, Performance Assurance		Date: 10/20/00
Approved By: SIGNATURE ON FILE Doris Heim, Functional Manager		Date: 10/19/00 Business Systems Department

MARTIN MARIETTA ENERGY SYSTEMS, INC.
PROCEDURE

PRIVACY ACT COMPLIANCE
Revision 0

IO-157
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PURPOSE	<p>The Privacy Act of 1974 imposes restrictions on the collection, retention, access, and disclosure of personal information maintained on individuals by the government. This procedure establishes a process for protecting the privacy of individuals, whose records are maintained in a system of Privacy Act Records for the Department of Energy (DOE), for preventing the unwarranted disclosure of such records, and for releasing or disclosing such records or information consistent with provisions of the Privacy Act, DOE orders and regulations, and Privacy Act provisions of the Energy Systems/DOE contract.</p>
APPLIES TO	<p>This procedure applies to Energy Systems organizations responsible for maintaining the following systems of records subject to the Privacy Act:</p> <ul style="list-style-type: none">● Site Personnel Records Organizations - (DOE-5) Personnel Records of Former Contractor Employees● Site Occupational Health Organizations - (DOE-33) Personnel Medical Records● Site Dosimeter Records Organizations - (DOE-35) Personnel Radiation Exposure Records. <p>This procedure is not intended to restrict or prevent communications or consultations between organizations responsible for maintaining Privacy Act records and other Energy Systems employees or subcontractors who need to routinely use such information in order to perform their official duties.</p>
OTHER DOCUMENTS NEEDED	<ul style="list-style-type: none">● MD-152, Release of Medical Records Outside Energy Systems● MD-153, Occupational Health Program
WHAT TO DO	<p>A. Maintaining Privacy Act Records</p> <ol style="list-style-type: none">1. Provides advice on implementing this procedure and complying with Privacy Act requests.2. Maintain Privacy Act information in confidence.
Office of General Counsel	
Maintaining Organizations	

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| | A. Maintaining Privacy Act Records (cont.) |
| Maintaining Organizations | <ul style="list-style-type: none">3. Protect Privacy Act records or information from willful disclosure to any person or agency not entitled by the Privacy Act or regulation to receive such records.4. Identify Privacy Act records by stamping or labeling with restrictive legends.<ul style="list-style-type: none">a. When a record is pulled in response to a Privacy Act request, then ensure that the file is stamped or labelled on the outside of active file folders.b. When a record is prepared for inactive document storage or pulled from storage in response to a Privacy Act request, then ensure that the file is stamped or labelled on the outside of the file folder.c. Place Privacy Act labels conspicuously on the outside of each box containing inactive Privacy Act records. |
| Records Center Personnel | <ul style="list-style-type: none">5. Place Privacy Act labels conspicuously on the outside of each box containing inactive Privacy Act records that have not previously been labelled.6. Release inactive Privacy Act records only to the site organization representative responsible for maintaining the specific Privacy Act system of records, unless authorized in writing by the maintaining organization.7. Retrieve Privacy Act records from storage boxes in response to requests from the respective site organization.8. Replace Privacy Act records in appropriate storage boxes upon return.9. Restrict access to Privacy Act records taken from storage boxes to ensure that the records are not left unattended, unsecured, or read/reviewed by unauthorized records center personnel. |
| | B. Responding to Privacy Act Requests |
| Maintaining Organizations | <ul style="list-style-type: none">1. When a Privacy Act request is received from the DOE Oak Ridge Operations Privacy Act Officer (Privacy Act Officer), then provide a response to the Privacy Act Officer promptly. |

B. Responding to Privacy Act Requests (cont.)

Maintaining
Organizations

- a. If responses cannot be made within 10 days, then notify the Privacy Act Officer of the delay.
 - b. Include a status report and an estimate of the time within which action is expected to be taken on the request.
2. Release copies of Privacy Act records outside Energy Systems ONLY as follows:
- a. Pursuant to a written request from the Privacy Act Officer in response to a third party request, including a court order.

NOTE: Requirements for release of medical records are covered in MD-152, Release of Medical Records Outside Energy Systems, and MD-153, Occupational Health Program.

- b. To an employee or former employee, who makes an in-person request for his/her record, shows appropriate identification, and signs a release form.
 - c. To a routine user's representative, upon written authorization by the Privacy Act Officer designating the routine user's representative by name, and upon verification of the representative's identity.
 - d. Upon request by Energy Systems workers' compensation claims administrator in connection with an occupational injury/illness of an employee or former employee.
 - e. To DOE officers and employees identified by name and organization by the Privacy Act Officer as requiring access to Privacy Act information in order to perform their official duties, and upon completion of the DOE release form.
 - f. To furnish copies of radiation exposure records directly to companies required by law to maintain exposure records on their employees, who also have exposure records maintained by Energy Systems.
3. If a court order or third party request for Privacy Act records is received directly by Energy Systems, then fax the request, any authorization for release, and any proof of identity to the Privacy Act Officer.

B. Responding to Privacy Act Requests (cont.)

Maintaining
Organizations

4. Notify the individual before his/her records are disclosed pursuant to compulsory process (court order).
5. When responding to a Privacy Act request, then assemble a response package consisting of copies of the requested records and the Privacy Act restrictive marking from the file folder.
6. Seal the Privacy Act response package in an envelop marked "Privacy Act Information - To Be Opened By Addressee Only."
7. Send Privacy Act response package to the DOE Privacy Act Officer, Office of Chief Counsel, DOE Federal Building.

C. Disclosures Accounting

Maintaining
Organizations

1. File a copy of each request received from the Privacy Act Officer in each individual's file, available to the individual upon request.

NOTE: Accounting is not required for disclosure for a criminal investigation, or for in-person requests by an Energy Systems or DOE employee or former employee for his/her own record.

2. Keep an accounting of "routine use" requests.
3. Report the number of routine uses to the Privacy Act Officer at year end.

RECORDS

Records created as a result of complying with this procedure shall be maintained in accordance with IO-101, Records Management, and approved records inventory and disposition schedules.

Maintaining
Organizations

1. Completed employee release form
2. Copy of Privacy Act request
3. Notification of disclosure
4. Status report to Privacy Act Officer
5. Routine use reports to Privacy Act Officer

Prepared by:

B. K. Robinette

Approved by: [Approval Signature On File]
C. B. Landguth, Vice President
Business Management and Administration

Date: [6/1/94]